IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1416 OF 2007

Mr. Nirmal Jaswantrai Mehta & anr.... Petitioner

versus

The State of Maharashtra and anr..... Respondent.

Mr. A.M.Saraogi for the petitioner
Mr. Harshad Bhodbade for Respondent no.2.
Mr. D.R. More APP for State.

CORAM; A.P. DESHPANDE, J.
DATED; 03RD DECEMBER, 2007

P.C.;

1. Present petitioners had taken loan from respondent no.2 The Saraswat Co-op. Bank Ltd. and defaulted in repayment thereof. As the respondent no.2 was of the view that the loan was obtained on the basis of forged balance sheet by mis-representing the bank, FIR No. 124 of 2006 was registered for offence punishable under sections 465, 468, 469, 420, 120-B of IPC. During the pendency of the proceedings, the petitioners have repaid the entire amount to the satisfaction of the bank. The parties have resolved the dispute out of the Court. On account of settlement of the dispute, the parties have filed Consent Terms on record, duly signed by the parties so also their advocates. The Consent Terms are taken on record and marked as ‘X’ for identification.

2. Both the learned advocates make a joint request for disposal of the matter by quashing the criminal proceedings, as in their submission, the same would be in the interest of justice. Reliance is placed on a judgment of the Supreme Court reported in **(2003) 4 S.C.C. page 675.** Having regard to the peculiar facts and circumstances of the present case, I am of the view that ends of justice would be met by quashing the criminal proceedings. Hence this writ petition is disposed of in Consent Terms filed on record.

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